PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	A.G. Daifotis et al.		
Serial No.:	To Be Assigned (A Continuation of 09/376,315)	Case No.: 20002YPCA	Art Unit: 1617
Filed:	To Be Accorded		
For:	METHOD FOR INHIBITING BONE RESORPTION		Examiner: T. Criares

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT IN
CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

Sir:

The Examiner is respectfully requested to enter the following preliminary amendment in the above-captioned continuation application under 37 C.F.R. § 1.53 (b).

Please amend the application as follows:

IN THE SPECIFICATION

At page 1, under the section labeled "CROSS-REFERENCE TO RELATED APPLICATIONS", please delete the paragraph and replace it with the following:

-- This application is a continuation of U.S. Application Serial Number 09/376,315, filed August 18, 1999, which is a continuation of U.S. Application Serial Number 09/134,214, filed August 14, 1998 and granted as U.S. Patent Number 5,994,329, which is a continuation of PCT/US98/14796, filed July 17, 1998, which claims priority to U.S. provisional application Serial Number 60/053,535, filed July 23,

1997 and U.S. Provisional Application Serial Number 60/053,351, filed July 22, 1997, the contents of all of the foregoing of which are hereby incorporated by reference in their entirety.--

Please amend lines 28-30 on page 21 as follows:

--Nonlimiting examples of histamine H2 receptor blockers and/or proton pump inhibitors include those selected from the group consisting of cimetidine, famotidine, nizatidine, ranitidine, omeprazole, and lansoprazole.--

IN THE CLAIMS

Please cancel Claims 1-33 without prejudice and replace with new Claims 34- 51 as follows:

-- 34. A pharmaceutical composition comprising about 70 mg, on an alendronic acid active basis, of a bisphosphonate selected from the group consisting of alendronate, pharmaceutically acceptable salts or esters thereof, and mixtures thereof. --

-- 35. A pharmaceutical composition according to Claim 34 wherein said pharmaceutically acceptable salt is selected from the group consisting of sodium, potassium, calcium, magnesium, and ammonium salts. --

-- 36. A pharmaceutical composition according to Claim 35 wherein said pharmaceutically acceptable salt is a sodium salt. --

-- 37. A pharmaceutical composition according to Claim 35 wherein said pharmaceutically acceptable salt is alendronate monosodium trihydrate. --

-- 38. A pharmaceutical composition according to Claim 36 in the form of a tablet. --

-- 39. A pharmaceutical composition according to Claim 36 in the form of a capsule. --

-- 40. A pharmaceutical composition according to Claim 36 in the form of a liquid. --

-- 41. A pharmaceutical composition according to any of Claims 34-37 wherein said pharmaceutical composition is an oral composition. –

-- 42. A pharmaceutical composition comprising 70 mg, on an alendronic acid active basis, of a bisphosphonate selected from the group consisting of alendronate, pharmaceutically acceptable salts or esters thereof, and mixtures thereof, wherein said composition is in the form of a unit dosage. --

-- 43. A pharmaceutical composition according to Claim 42 wherein said pharmaceutically acceptable salt is selected from the group consisting of sodium, potassium, calcium, magnesium, and ammonium salts. --

-- 44. A pharmaceutical composition according to Claim 43 wherein said pharmaceutically acceptable salt is a sodium salt. --

-- 45. A pharmaceutical composition according to Claim 44 wherein said pharmaceutically acceptable salt is alendronate monosodium trihydrate. --

-- 46. A pharmaceutical composition according to Claim 44 in the form of a tablet. --

-- 47. A pharmaceutical composition according to Claim 44 in the form of a capsule. --

-- 48. A pharmaceutical composition according to Claim 44 in the form of a liquid. --

-- 49. A pharmaceutical composition according to any of Claims 42-45 wherein said pharmaceutical composition is an oral composition. --

-- 50. A pharmaceutical composition according to claim 34 wherein said pharmaceutical composition is useful for treating osteoporosis and is administered once-weekly.

-- 51. A pharmaceutical composition according to claim 42 wherein said pharmaceutical composition is useful for treating osteoporosis and is administered once-weekly.

REMARKS

The specification has been amended to include the cross-reference information and to correct a minor typographical error. Claims 34-51 are pending after entry of the foregoing preliminary amendment.

New Claims 34-51 mirror those that were allowed in parent U.S. Application Serial Number 09/376,315. Applicants therefore respectfully request consideration and allowance of Claims 34 through 51.

Attached hereto is a marked-up version of the changes made to the specification and the claims by the current amendment. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**".

If a telephonic communication with the Applicants' representative will advance the prosecution of the instant application, please telephone Attorney Antonio Garcia-Rivas, Merck & Co., Inc., at (732) 594-1513. Should any fees be due in addition to the

previously or concurrently authorized fees, the Commissioner is authorized to Merck Deposit Account No. 13-2755.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

Page 1, under the section labeled "CROSS-SECTION TO RELATED APPLICATIONS" has been amended as follows:

-- This application is a continuation of U.S. Application Serial Number 09/376,315, filed August 18, 1999, which is a continuation of U.S. Application Serial Number 09/134,214, filed August 14, 1998 and granted as U.S. Patent Number 5,994,329, which is a continuation of PCT/US98/14796, filed July 17, 1998, which [and also] claims priority to U.S. provisional [applications] application Serial [Nos.] Number 60/053,535, filed July 23, 1997[,] and U.S. Provisional Application Serial Number 60/053,351, filed July 22, 1997, [both now abandoned,] the contents of all of the foregoing of which are hereby incorporated by reference in their entirety.--

Paragraph 3 after the heading "Sequential Administration...With Bisphosphonates", at lines 28-30 on page 21 have been amended as follows:

--Nonlimiting examples of histamine H2 receptor blockers and/or proton pump inhibitors include those selected from the group consisting of cimetidine, famotidine, nizatidine, ranitidine, [omprazole] omeprazole, and lansoprazole.--